

PUBLIC NOTICE

US Army Corps of Engineers New York District Jacob K. Javits Federal Building New York, N.Y. 10278-0090 ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: 2006-00110-Y2

Issue Date: November 8, 2006 Expiration Date: December 8, 2006

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 103 of the Marine Protection, Research & Sanctuaries Act of 1972, as amended (33 U.S.C. 1413).

APPLICANT:

New York City Economic Development Corporation

110 William Street New York, NY 10038

ACTIVITY:

Rehabilitate a total of 1830 feet of waterfront property with riprap revetment. Construct a fishing

pier and high-level deck platform at Hunts Point Peninsula

WATERWAY:

Fast River and Bronx River

LOCATION:

Borough of The Bronx, Bronx County, New York City, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a

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public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that fumished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration Fisheries Service (NOAA/FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various life stages of some EFH-designated species. However, the New York District has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NOAA/FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8518 and ask for Rosita Rama.

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For more information on New York District Corps of Engineers programs, visit our website at http://www.nan.usace.army.mil

For Richard L. Tomer

Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, New York City Economic Development Corporation (NYCEDC), has requested Department of the Army authorization for installation and rehabilitation of riprap at three (3) sites and construction of a fishing pier at Hunts Point Peninsula. The sites are located in the East River and Bronx River, in The Bronx, Bronx County, New York City, New York.

The work would involve the following activities, in accordance with the attached plans:

- 800 Food Center Drive (Fulton Fish Market): Rehabilitation of approximately 600 linear feet of waterfront property to include installation of 19,100 square feet of riprap below spring high tide line, and demolition and removal of a steel sheet pile cofferdam.
- 600 Food Center Drive: Rehabilitation of approximately 330 feet of waterfront property to include installation of 9,728 square feet of riprap below spring high tide line; construction of a 80-foot long by 20-foot wide recreational fishing pier at the foot of Farragut Street; demolition and removal of a low-level relieving and a high-level deck platforms; and construction of a 304 linear foot high-level deck platform in the same footprint as the demolished low-level relieving platform.
- 500 Food Center Drive (Site C): Rehabilitation of approximately 900 feet of waterfront property to include installation of 25,000 square feet of riprap below spring high tide line and a pre-cast concrete retaining wall to be located landward of the riprap; and, demolition of an existing pile-supported concrete relieving platform
- 200 Food Center Drive: Demolition and removal of two (2) loading platforms, each 100 linear feet along the Bronx River.

It is noted that the demolition and removal of structures are beyond the regulatory jurisdiction of the Department of the Army but have been included for clarity.

The stated purpose of this project is to maintain the structural integrity and prevent coastal erosion of the waterfront property at Hunts Point, and provide public recreational access to the waterway.

Hunts Point Bulkhead Rehabilitation Shoreline Outline



2006-00110-42 NYCEDC-Hunts Point

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List of drawings

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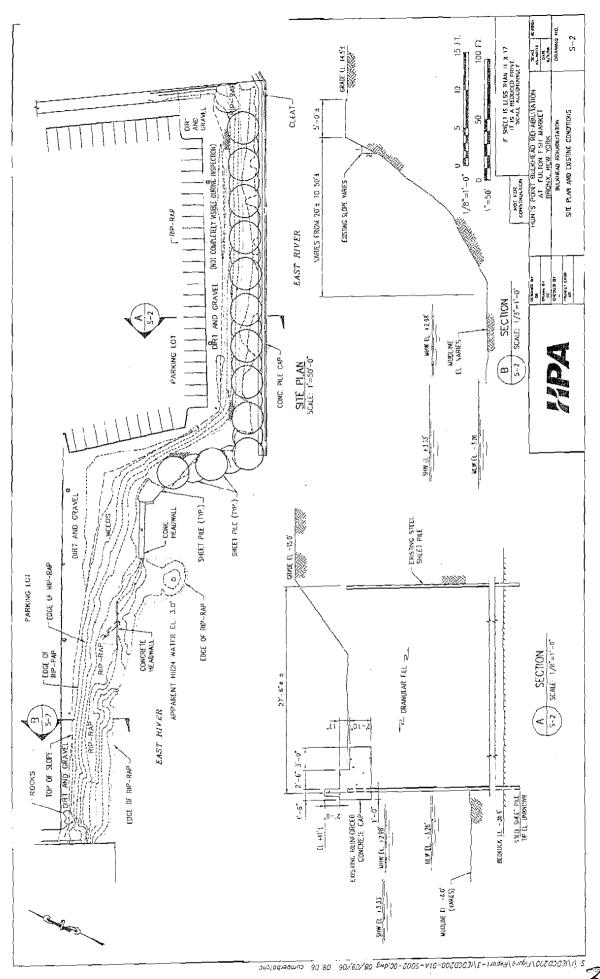
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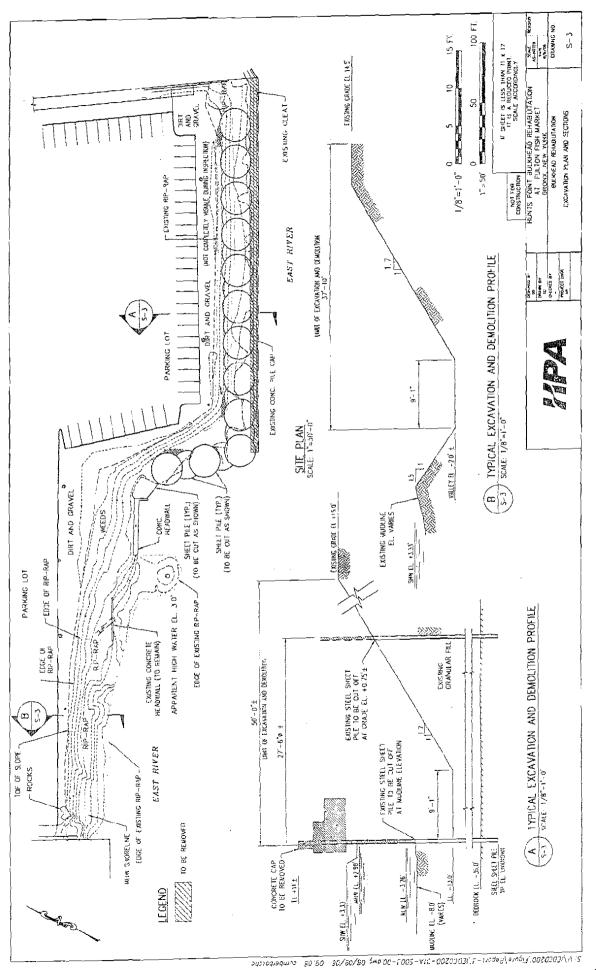
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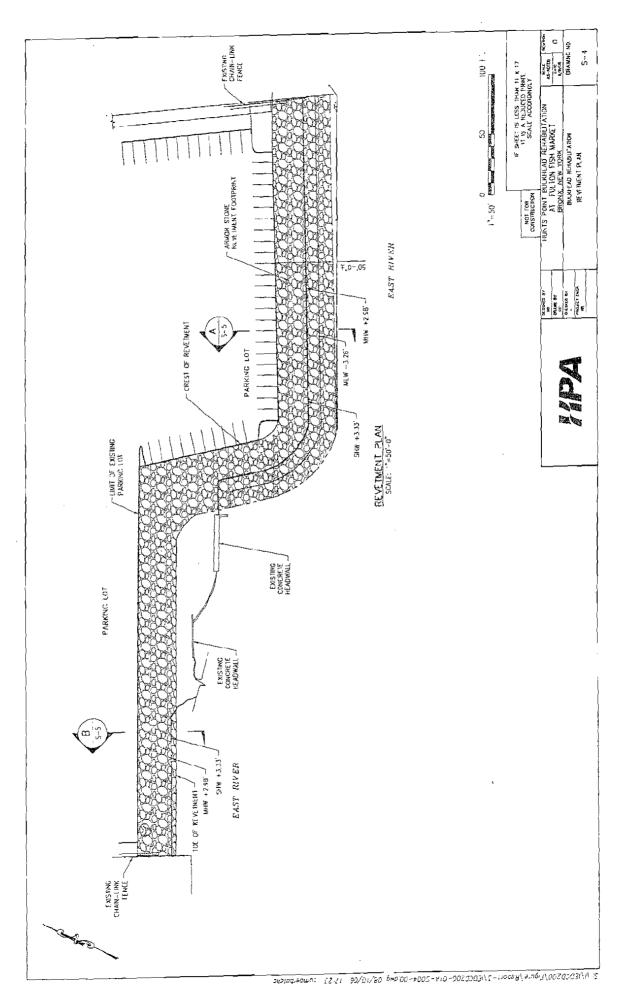
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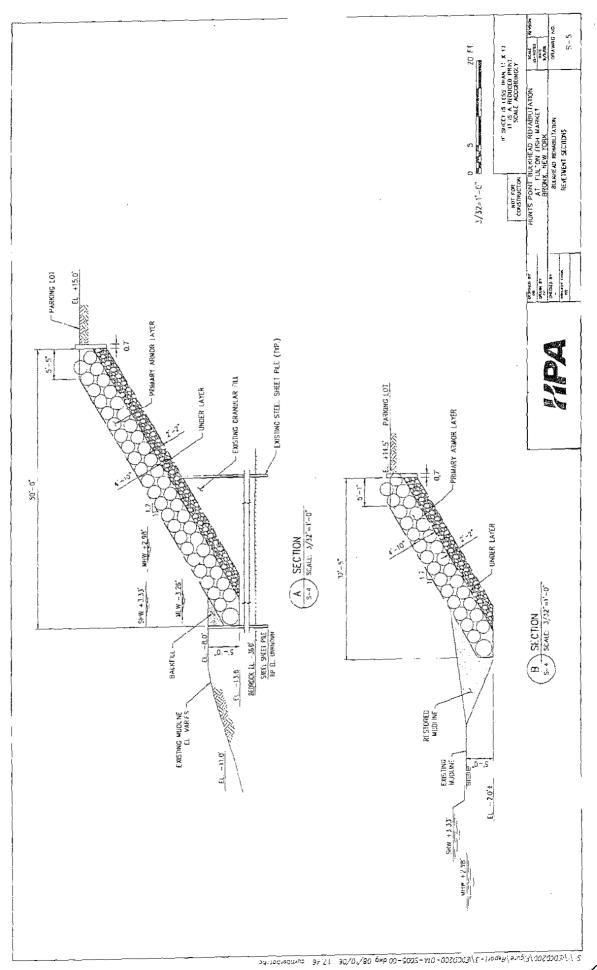
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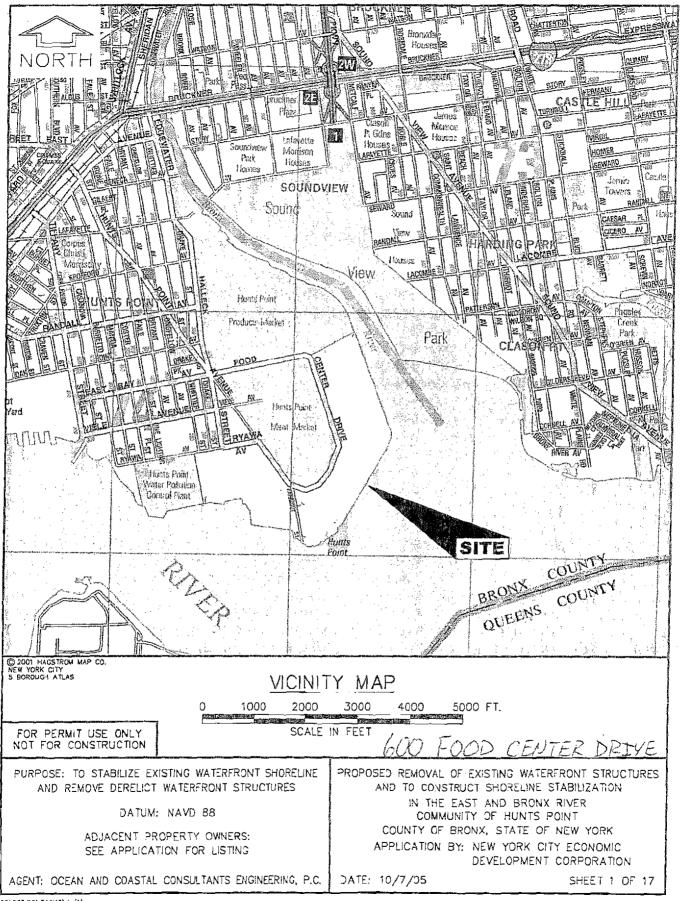
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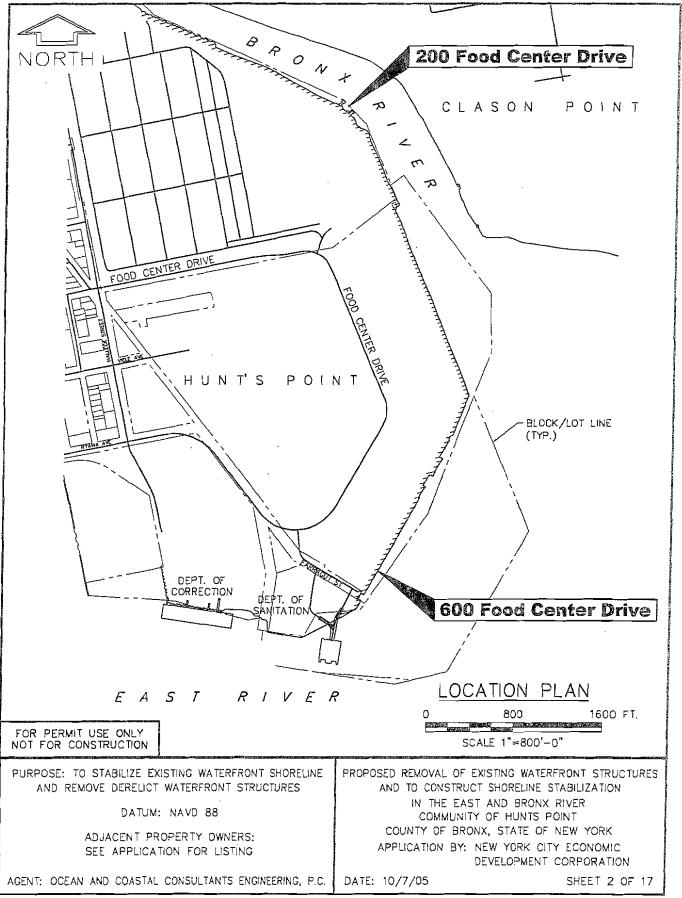


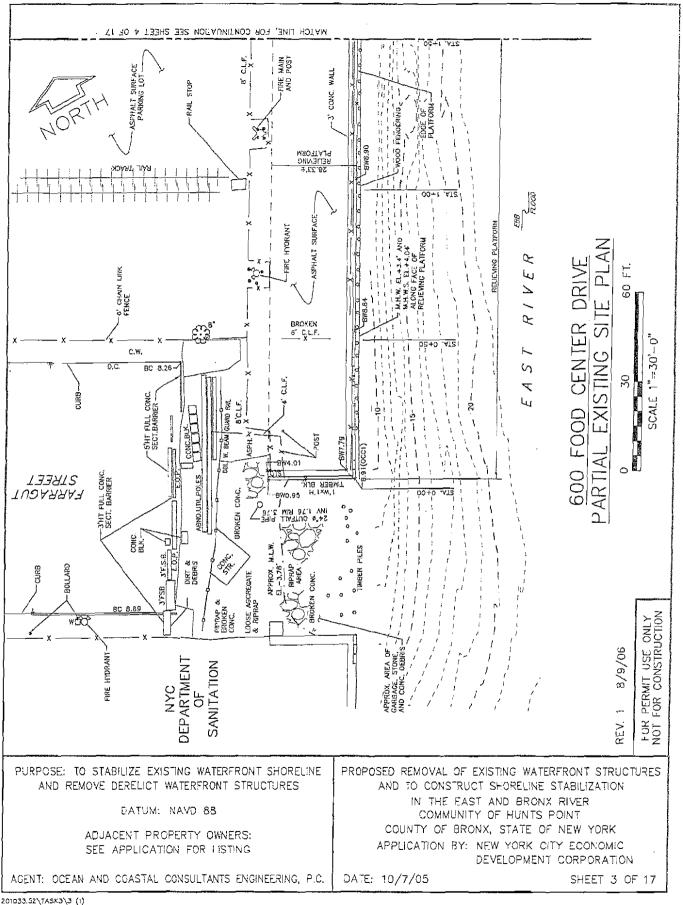




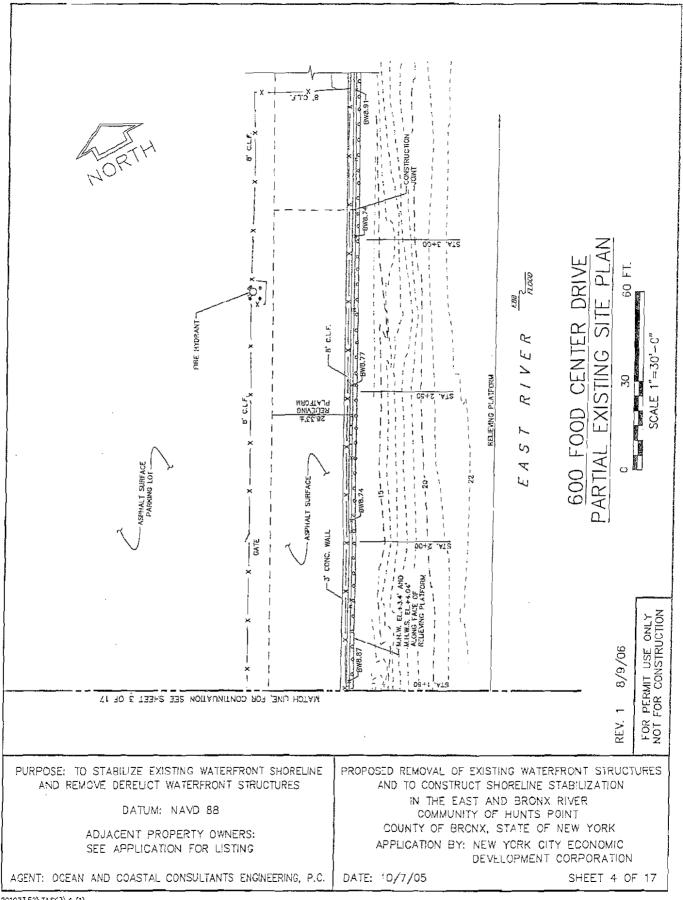


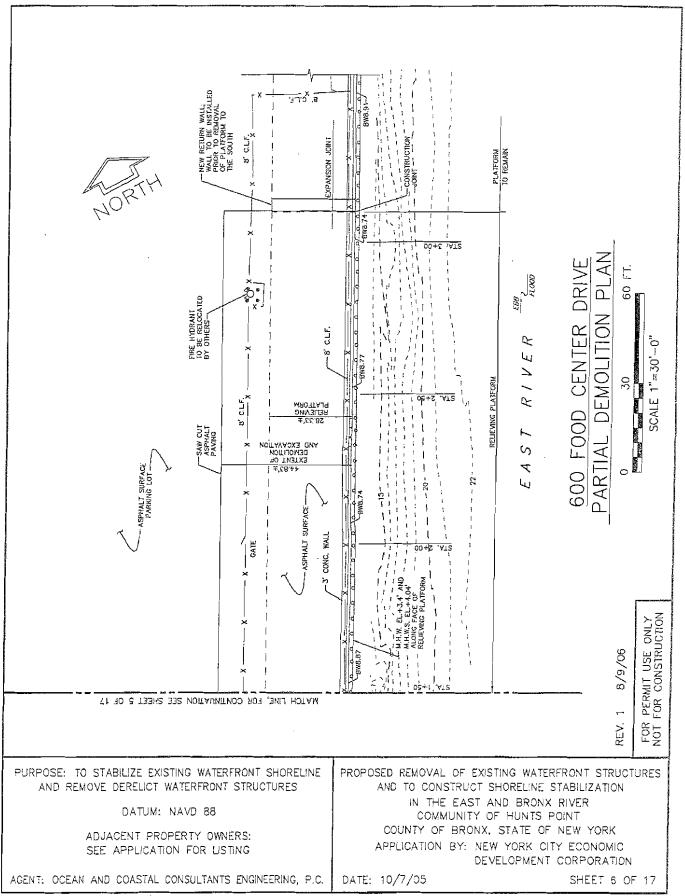


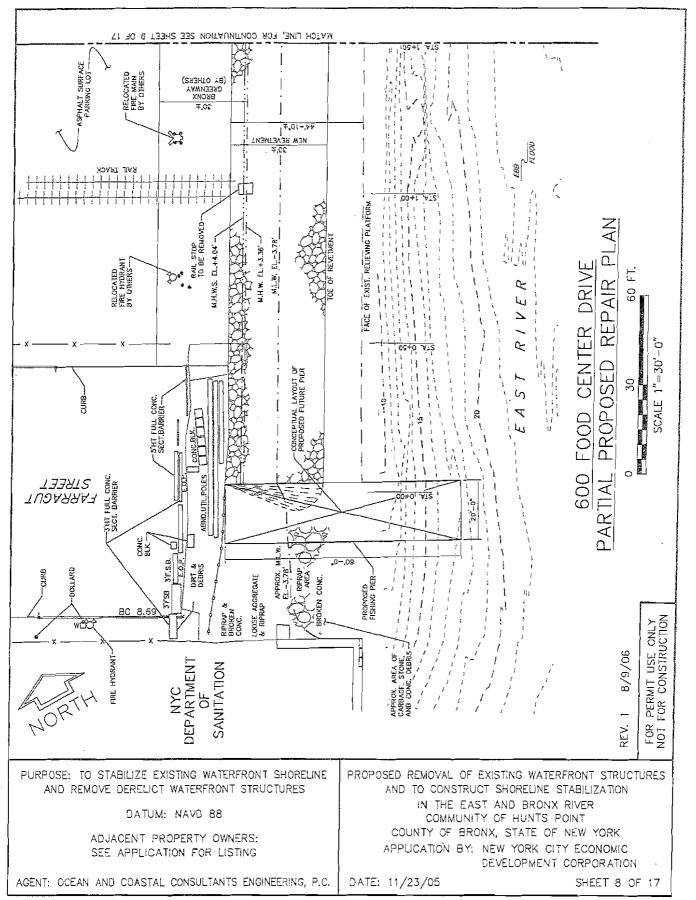




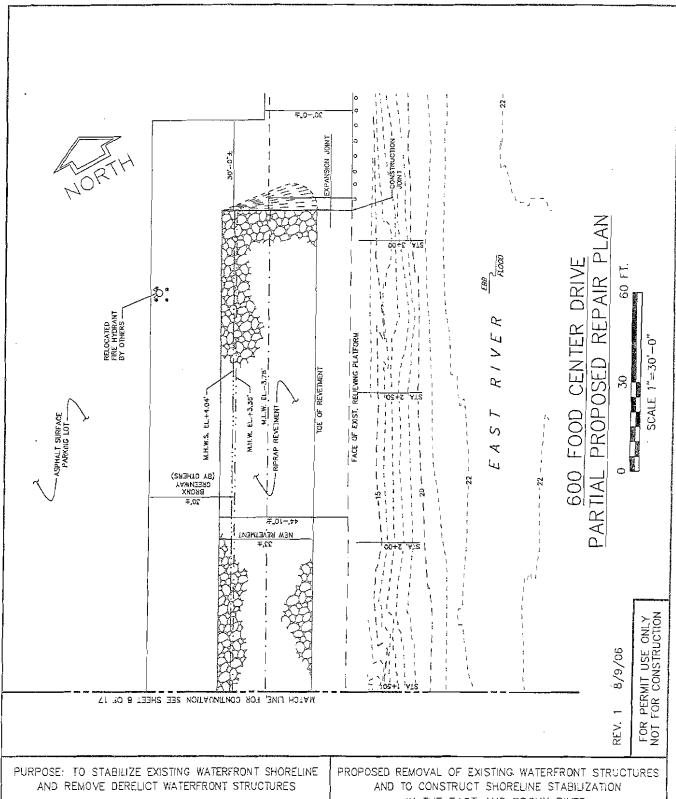
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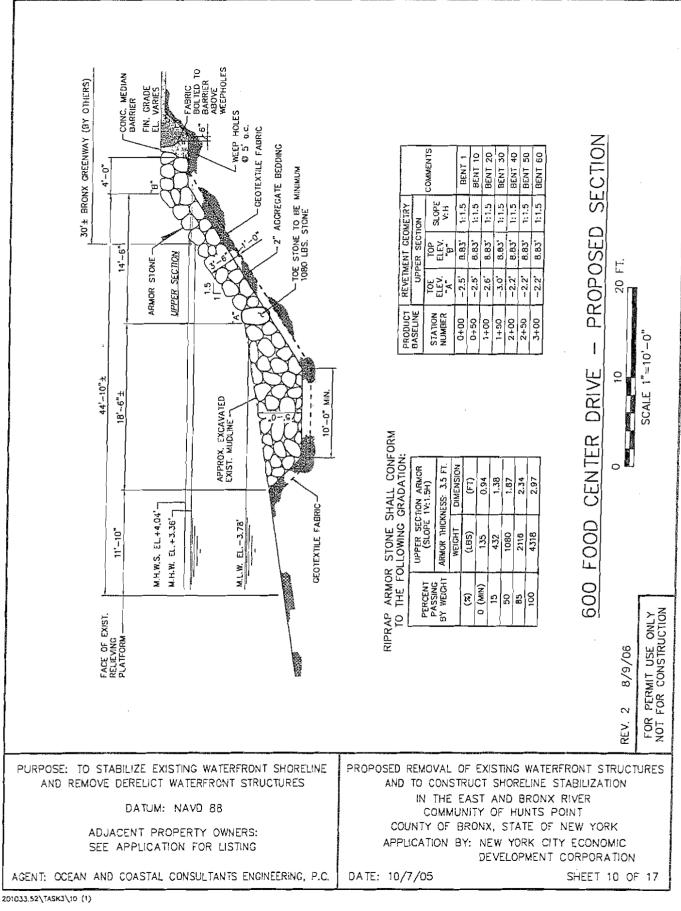
AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

IN THE EAST AND BRONX RIVER
COMMUNITY OF HUNTS POINT
COUNTY OF BRONX, STATE OF NEW YORK
APPLICATION BY: NEW YORK CITY ECONOMIC

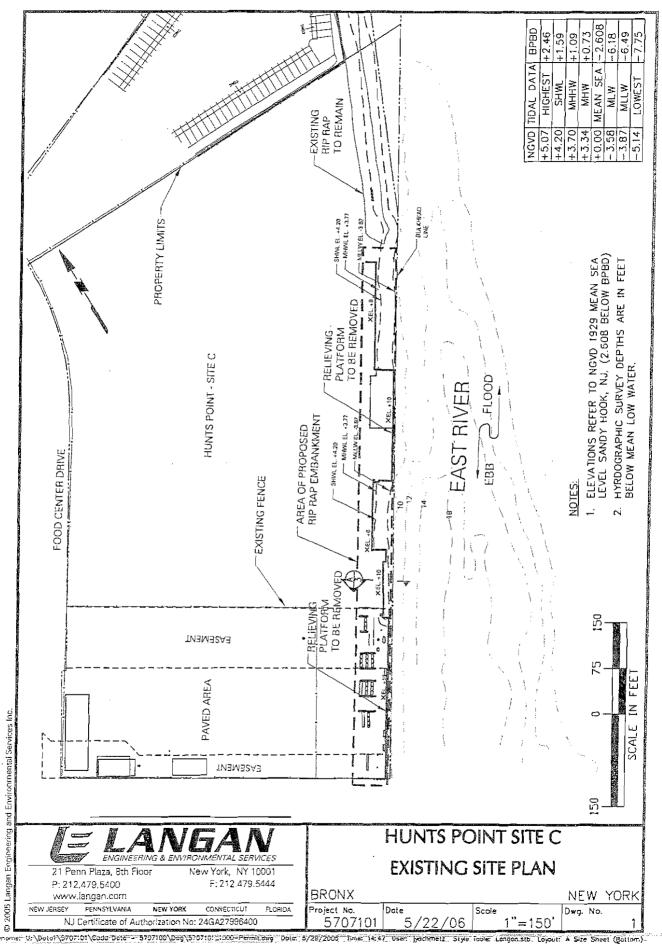
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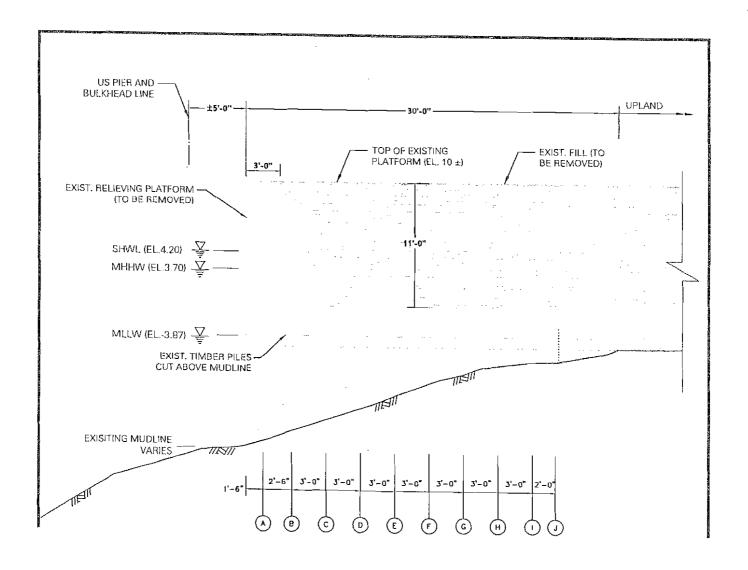
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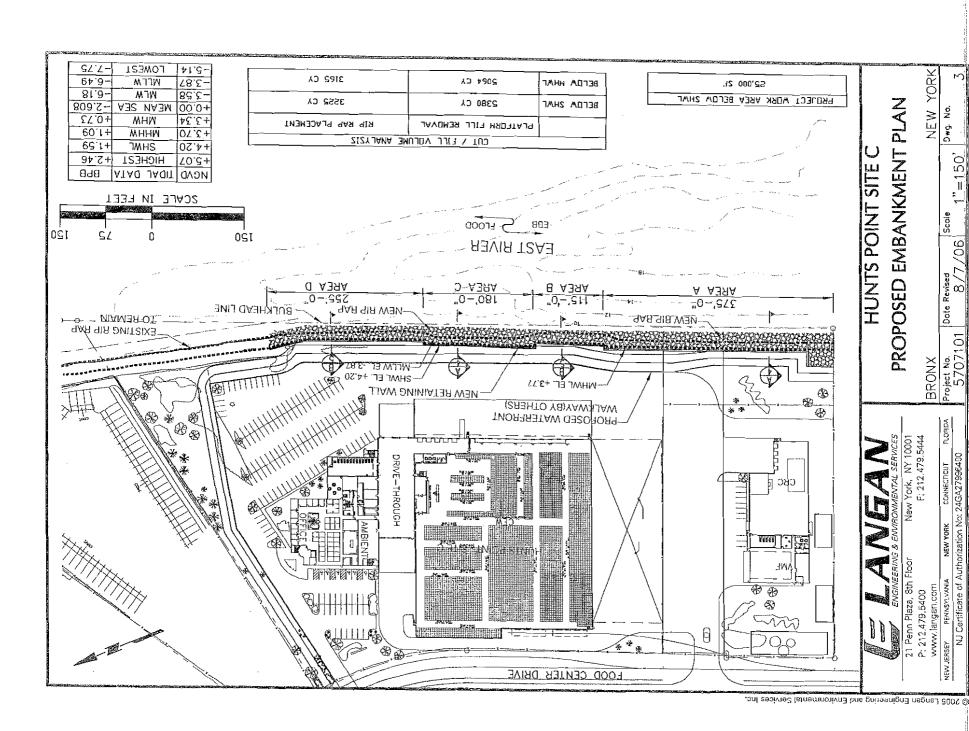
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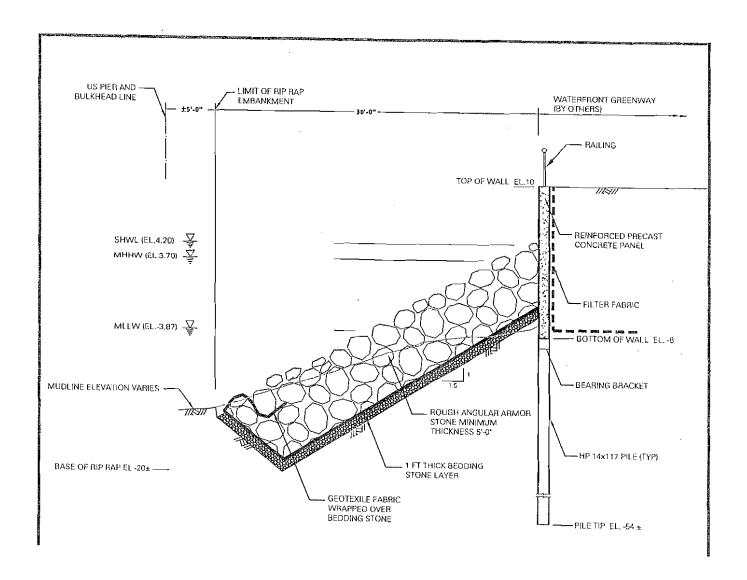


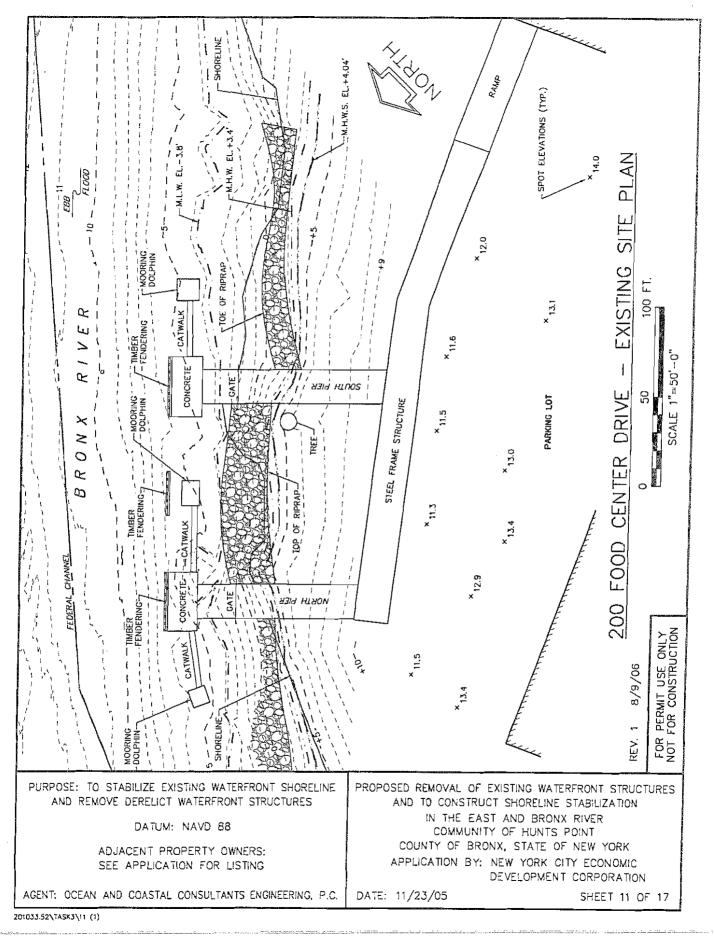


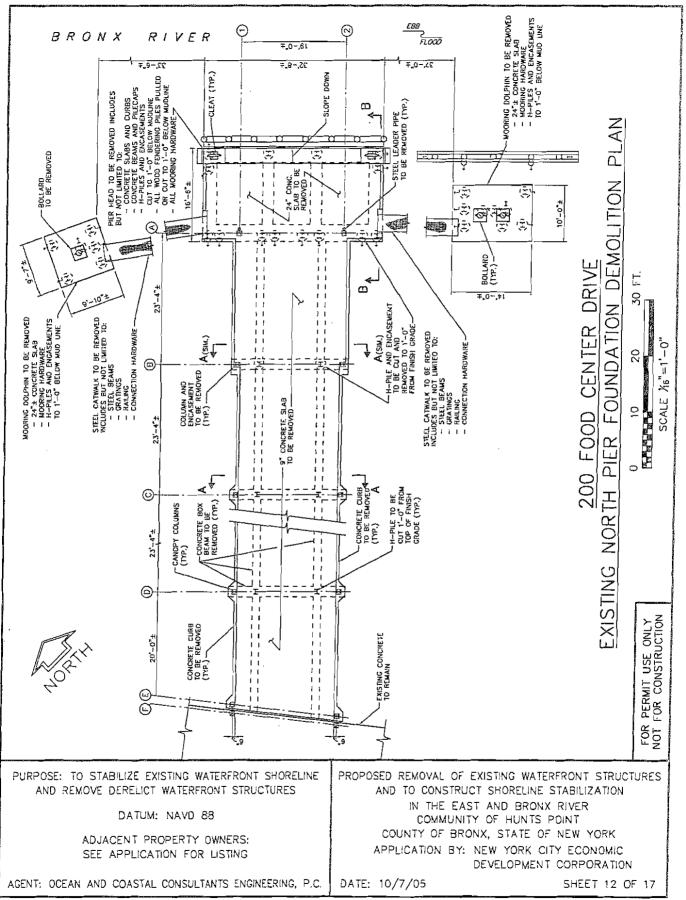


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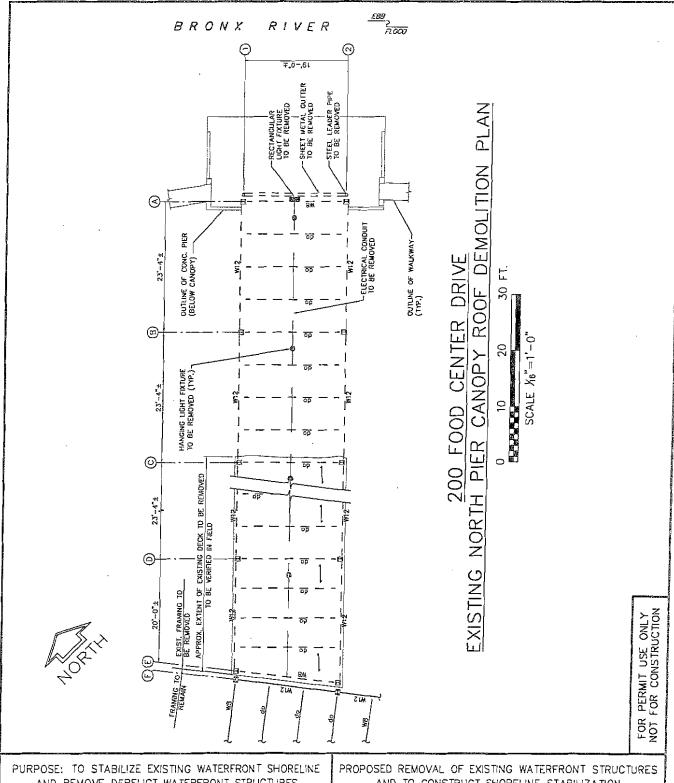
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AND REMOVE DERELICT WATERFRONT STRUCTURES

DATUM: NAVD 88

ADJACENT PROPERTY OWNERS: SEE APPLICATION FOR LISTING

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

AND TO CONSTRUCT SHORELINE STABILIZATION

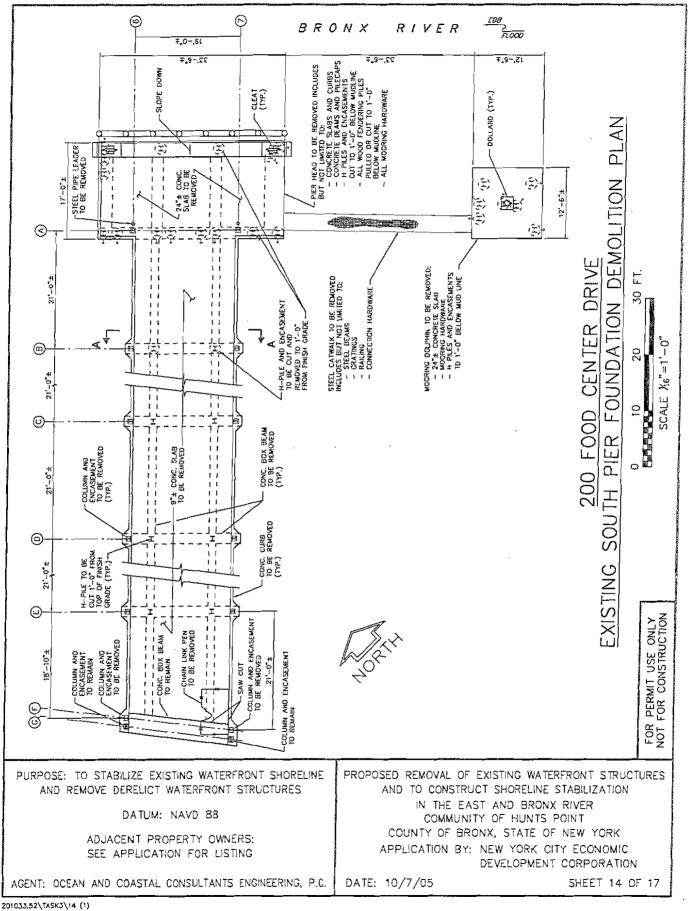
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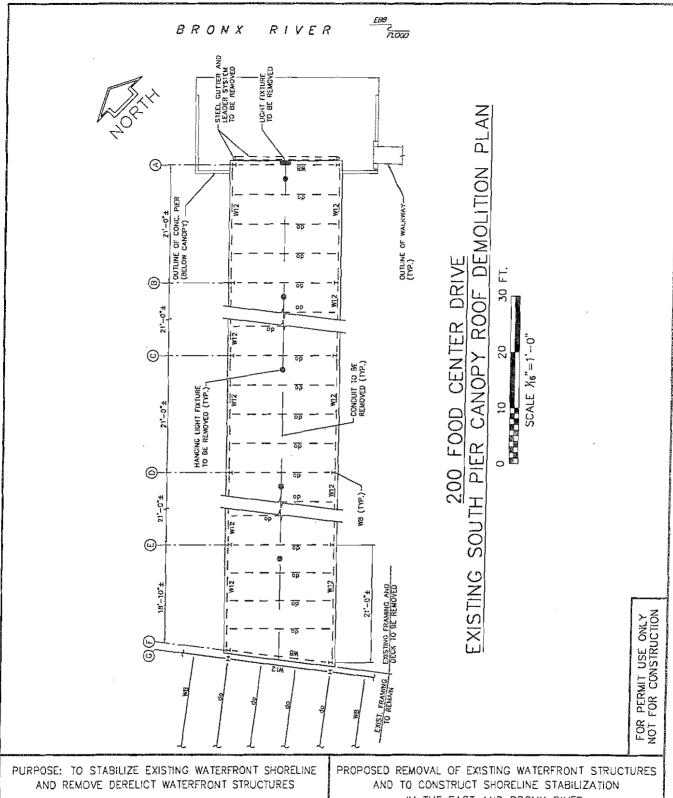
COUNTY OF BRONX, STATE OF NEW YORK APPLICATION BY: NEW YORK CITY ECONOMIC

DEVELOPMENT CORPORATION

DATE: 10/7/05

SHEET 13 OF 17





DATUM: NAVD 88

ADJACENT PROPERTY OWNERS: SEE APPLICATION FOR LISTING

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

IN THE EAST AND BRONX RIVER

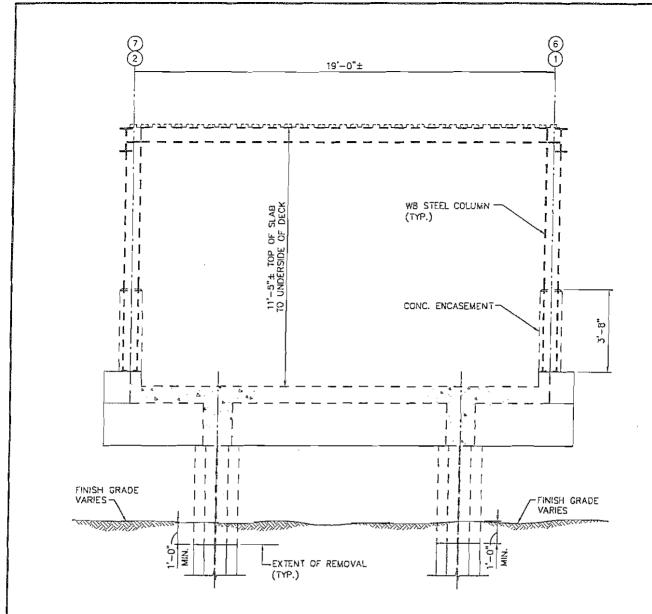
COMMUNITY OF HUNTS POINT COUNTY OF BRONX, STATE OF NEW YORK

APPLICATION BY: NEW YORK CITY ECONOMIC

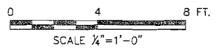
DEVELOPMENT CORPORATION

DATE: 10/7/05

SHEET 15 OF 17



200 FOOD CENTER DRIVE EXISTING AND DEMOLITION SECTION A-A



FOR PERMIT USE ONLY NOT FOR CONSTRUCTION

PURPOSE: TO STABILIZE EXISTING WATERFRONT SHORELINE AND REMOVE DERELICT WATERFRONT STRUCTURES

DATUM: NAVD 88

ADJACENT PROPERTY OWNERS: SEE APPLICATION FOR LISTING

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED REMOVAL OF EXISTING WATERFRONT STRUCTURES AND TO CONSTRUCT SHORELINE STABILIZATION

IN THE EAST AND BRONX RIVER

COMMUNITY OF HUNTS POINT COUNTY OF BRONX, STATE OF NEW YORK

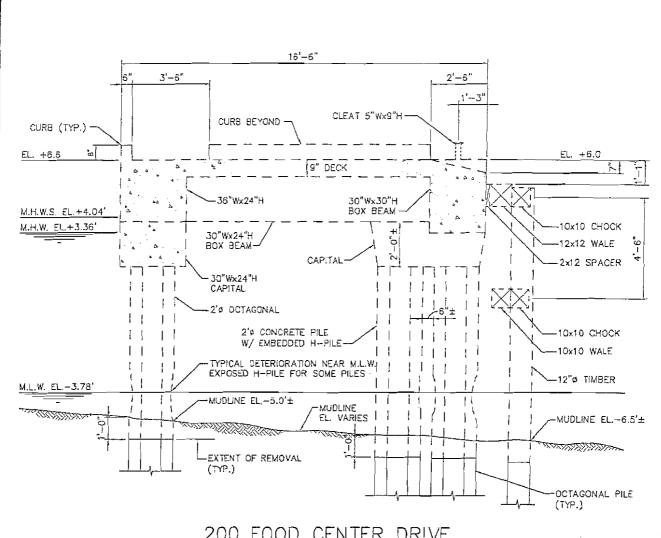
APPLICATION BY: NEW YORK CITY ECONOMIC

DEVELOPMENT CORPORATION

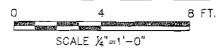
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200 FOOD CENTER DRIVE EXISTING AND DEMOLITION SECTION B-B



FOR PERMIT USE ONLY NOT FOR CONSTRUCTION

PURPOSE: TO STABILIZE EXISTING WATERFRONT SHORELINE AND REMOVE DERELICT WATERFRONT STRUCTURES

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ADJACENT PROPERTY OWNERS: SEE APPLICATION FOR LISTING

AGENT: GCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED REMOVAL OF EXISTING WATERFRONT STRUCTURES AND TO CONSTRUCT SHORELINE STABILIZATION

IN THE EAST AND BRONX RIVER
COMMUNITY OF HUNTS POINT
COUNTY OF BRONX, STATE OF NEW YORK
APPLICATION BY: NEW YORK CITY ECONOMIC

DEVELOPMENT CORPORATION

DATE: 11/23/05

SHEET 17 OF 17

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